

REMARKS

Claims 1-4 are pending.

103(a) Rejections

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimano (US 6,348,422) in view of Nishida (US 6,080,797). Applicants traverse the rejections.

The Office Action asserts that it would be obvious to include the moisture-absorbing and desorbing polymer of Nishida in the non-porous film of Shimano to arrive at the claimed invention. See, e.g., Office Action, page 4. The Office Action further asserts that the motivation for such a combination would be the desire to further increase moisture permeability and resistance to moisture condensation of the Shimano fabric. See, e.g., Office Action, page 4. Applicants submit that these assertions are in error.

The moisture-permeable waterproof fabric of embodiments of the present invention advantageously and unexpectedly provides excellent moisture permeability, water resistance, and sweat dischargeability. The experimental data set forth in Table 1 of the specification, page 28, illustrates these advantageous and unexpected results.

In Table 1, the fabric of Inventive Example has substantially the same moisture permeability as that of the fabric of Comparative Example 1. However, the fabric of Inventive Example shows higher ΔH of 3, which indicates that the fabric of Inventive Example has excellent sweat dischargeability, as compared with the fabric of Comparative Example 1. The fabric of Comparative Example 2 has lower moisture permeability than that of the fabric of Comparative Example 1. However, the fabric of Comparative Example 2 shows ΔH of 0, which means that the sweat dischargeability of the fabric of Comparative Example 2 is not correspondingly lowered as compared with the fabric of Comparative Example 1. Therefore, it may be said that there is no correlation between moisture permeability and sweat dischargeability.

Indeed, even if the porous moisture-absorbing and desorbing polymer of Nishida were incorporated as organic fine particles into the non-porous film in the moisture-permeable waterproof fabric of Shimano to improve moisture permeability, the claimed fabric of the present invention further provides excellent sweat dischargeability, which has no correlation with moisture permeability. Neither cited reference teaches or suggests that the addition of the Nishida polymer to the non-porous film of Shimano would provide a fabric with excellent sweat dischargeability, which has no correlation with moisture permeability, as in the claimed invention. Therefore, the claimed fabric produces advantageous and unexpected results over the cited references individually and in combination.

For at least these reasons, the claims are not obvious over the cited references. Withdrawal of the rejections is therefore respectfully requested.

CONCLUSION

The claims are believed to be allowable. An early and favorable action to that effect is respectfully requested.

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any information concerning this application.

The Office is hereby authorized to charge any fees under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

Date: 1/19/05

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